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Supreme Court of the United States

OCTOBER TERM, 1941.

No. 4404. 85

J. BUCKNER FISHER, Receiver of The First National Bank
of Chattanooga, Tennessee, *Petitioner*,

v.

LOUISE WHITON, Executrix of the Estate of Annie R.
Nottingham, Deceased;

O. B. WUNSCHOW, Executor of the Estate of Mildred
Williams, Deceased;

GEORGE C. MCKENZIE, Receiver and Commissioner for
R. A. LOWERY, J. A. LOWERY AND KATHERINE TULLOCK,
children of CLARA LOWERY; et al.

PETITION FOR RECONSIDERATION OF DENIAL OF PETITION FOR WRIT OF CERTIORARI.

S. BARTOW STRANG,
Chattanooga, Tennessee,
Attorney for Petitioner.

GEORGE P. BARSE,
LEE ROY STOVER,
HARRIET BUCKINGHAM,
*Attorneys for the Comptroller of
the Currency,
Of Counsel.*

Supreme Court of the United States

OCTOBER TERM, 1941.

No. 1194.

J. BUCKNER FISHER, Receiver of The First National Bank
of Chattanooga, Tennessee, *Petitioner*,

v.

LOUISE WHITON, Executrix of the Estate of Annie R.
Nottingham, Deceased;

O. B. WUNSCHOW, Executor of the Estate of Mildred
Williams, Deceased;

GEORGE C. MCKENZIE, Receiver and Commissioner for
R. A. LOWERY, J. A. LOWERY AND KATHERINE TULLOCK,
children of CLARA LOWERY; et al.

PETITION FOR RECONSIDERATION OF DENIAL OF PETITION FOR WRIT OF CERTIORARI.

*To the Honorable, the Chief Justice and the Associate
Justices of the Supreme Court of the United States:*

Your petitioner, J. Buckner Fisher, as Receiver of The
First National Bank of Chattanooga, Tennessee, by direc-
tion of the Comptroller of the Currency of the United
States, respectfully prays that this Honorable Court give

reconsideration to the denial of the petition for writ of certiorari entered herein on May 25, 1942, and that upon such reconsideration, said petition for writ of certiorari to the Court of Appeals of the State of Tennessee be granted.

In support whereof your petitioner relies upon, and adopts by reference as fully as though set forth herein,—the reasons for such reconsideration advanced by the Comptroller of the Currency in his brief filed herein as *amicus curiae*.

Respectfully submitted,

S. BARTOW STRANG,
Chattanooga, Tennessee,
Attorney for Petitioner.

GEORGE P. BARSE,
LEE ROY STOVER,
HARRIET BUCKINGHAM,
*Attorneys for the Comptroller of
the Currency,
Of Counsel.*

CERTIFICATE AS TO DELAY.

Comes now George P. Barse, General Counsel for the Comptroller of the Currency, and, appearing herein "of counsel," states that the foregoing petition filed by J. Buckner Fisher, as Receiver of The First National Bank of Chattanooga, Tennessee, is not filed by said Receiver for the purpose of delay, but is filed by direction of the Comptroller of the Currency by reason of the importance of the legal questions involved, and of the adverse effect which it is considered the denial of the petition for writ of certiorari to the Court of Appeals of the State of Tennessee may have upon the administration by the Comptroller of the Currency of the affairs of national banks in receivership.

GEORGE P. BARSE,
*General Counsel for the
Comptroller of the Currency,
Of Counsel.*

